

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:	§	Chapter 11 (Subchapter V)
	§	
FREE SPEECH SYSTEMS, LLC,	§	Case No. 22-60043
	§	
Debtor.	§	
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**NOTICE OF FILING PROPOSED SCHEDULING ORDER
FOR CONFIRMATION HEARING**

PLEASE TAKE NOTICE that, attached hereto as Exhibit A is the Proposed Scheduling Order for Confirmation Hearing (the “Proposed Scheduling Order”) which was submitted for comment and approval to counsel for the Sandy Hook Plaintiffs and the Chapter SubV Trustee prior to submission to the Court.

Dated: February 1, 2024

Respectfully submitted,

LAW OFFICES OF RAY BATTAGLIA, PLLC

/s/ RAYMOND W. BATTAGLIA

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Counsel to the Debtor and Debtor-In-Possession

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served by the Court’s CM/ECF system on all parties registered to receive such service on the date of filing.

/s/Raymond W. Battaglia
Raymond W. Battaglia

EXHIBIT A

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re: FREE SPEECH SYSTEMS, LLC., <u>Debtor.</u>	§ § § § §	Case No. 22-60043 Chapter 11 (Subchapter V)
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**ORDER SETTING PLAN CONFIRMATION DEADLINES PURSUANT TO RULE
3017.2 OF THE FEDERAL RULES OF BANKRUPTCY PROCEDURE**

On this day, came on to be considered the Plan Confirmation Deadlines Pursuant to Rule 3017.2 of Federal Rules of Bankruptcy Procedure. The Court finds that the Debtor filed its *First Amended Plan of Reorganization Under Subchapter V of the Bankruptcy Code* (“**Plan**”) on November 18, 2023 [ECF # 756]. Rule 3017.2 of Federal Rules of Bankruptcy Procedure (“**Rules**”) requires the Court to fix dates in connection with voting and confirmation of the Plan.

ACCORDINGLY, IT IS HEREBY ORDERED THAT:

1. The following dates and deadlines shall govern confirmation of the Plan and the conduct of the Confirmation Hearing:

Event	Date
Written Discovery Deadline. The deadline by which the Debtor, creditors and any other parties in interest (collectively the “ Parties ”) shall serve discovery relating to the Plan, potential objections thereto, and any other matters to be heard at the Confirmation Hearing (the “ Requests ”). The Parties shall meet and confer in good faith regarding timing and any requested extension of response deadline.	Tuesday, January 9, 2024
Substantial Completion of Document Production. The date by which the Parties shall substantially complete the production of documents in response to the Requests. This Order is without prejudice to the Parties right to object to the Requests and all such rights	Friday, January 26, 2024

are expressly reserved. Parties and any other recipients of the Requests must commence production of documents in response to Requests as soon as reasonably possible and shall roll out document production in tranches, as available. Parties and any other recipients of the Requests shall not wait until the substantial completion deadline to commence production.	
Solicitation Mailing/Publication Deadline. The date by which the Debtor shall mail a copy of the Plan together with a ballot for creditors to register their votes on the Plan.	Friday, February 2, 2024
Privilege Log Deadline. The date by which the Parties shall have provided logs of documents responsive to the Requests that were withheld or redacted on the basis of any claim or privilege.	Tuesday, January 30, 2024
Preliminary Witness Lists. The date by which the Parties shall exchange lists of witnesses each such party in good faith expects to call at the Confirmation Hearing.	Thursday, February 23, 2024
Fact Witness Depositions. The dates during which the Parties shall conduct fact witness depositions.	Tuesday, February 27 – Thursday, February 29, 2024
Production of Materials Relied Upon in Expert Reports. The date by which the Parties shall produce copies of any documents or data that were (a) relied on by such party's expert in forming the opinions contained in such report and (b) have not already been produced in these cases.	Wednesday, March 6, 2024
Expert Reports. The date by which the Parties shall simultaneously exchange expert reports, with a date for rebuttal reports (if needed) to be determined by the Parties intending to serve such reports. Bankruptcy Rule 7026 shall apply in its entirety to any expert reports exchanged.	Friday, March 8, 2024
Objections to Plan Due. The date by which objections to the Plan must be filed.	Friday, March 8, 2024
Balloting Deadline. The date by which creditors and interest holders must return their ballots accepting or rejecting the Plan.	Friday, February 23, 2024, at 5:00 PM Prevailing Central Time

Filing of Ballot Summary. The date by which the Debtor must file a report summarizing the Plan balloting.	Tuesday, February 27, 2024
Exchange of Final Witness and Exhibit Lists. The date by which the Parties shall serve a final list of witnesses and exhibits they intend to offer at the Confirmation Hearing. Witness lists shall identify all witnesses that each party will call and may call at the Confirmation Hearing and shall provide a brief summary of the anticipated testimony of each witness.	Friday, March 8, 2024
Exchange of Exhibits. The deadline by which the Parties shall exchange exhibits with each other.	Friday, March 8, 2024, 12 pm CT
Objections to Final Witness and Exhibit Lists. The date by which the Parties must serve any objections to the final witness and exhibit lists.	Monday, March 18, 2024
Expert Depositions. The dates during which the Parties shall conduct expert witness depositions.	Tuesday, March 19, 2024 – Wednesday, March 20 2024
Meet and Confer. The deadline by which the Parties shall exchange shall meet and confer concerning any objections to witnesses or exhibits	Wednesday, March 20, 2024/Thursday March 21, 2024
Filing of Final Witness and Exhibit Lists with the Clerk of the Court. The deadline by which the Parties shall file final exhibit and witness lists with the Clerk of the Court.	Thursday March 21, 2024
Final Pretrial Conference. The date on which the Parties shall, subject to the Court's availability, participate in a final pretrial conference.	Thursday March 21, 2024
Reply to Objections. The date by which the Parties must file their reply to all timely objections to the Plan.	Thursday March 21, 2024
Confirmation Hearing Dates. The hearing date for consideration by the Court of Plan confirmation.	Monday March 25, 2024 – Wednesday March 27, 2023

2. **Service.** The Parties agree to serve by email on all other Parties all discovery requests and written responses. Parties producing electronically stored information shall

simultaneously transmit or make available such productions to all Parties that are bound by the *Stipulated Confidentiality Agreement and Protective Order*, dated February 14, 2023 [FSS ECF No. 461; Jones ECF No. 159].

3. **Discovery Disputes.** The Parties shall promptly seek Court intervention regarding any disputes that cannot be resolved consensually, which disputes shall be heard by the Court on an expedited basis.

4. **Confirmation Hearing.** The Parties will meet and confer on the details of the Confirmation Hearing, including the sequencing and length of witness testimony and the presentation of other evidence.

5. **Amendments or Modifications.** The Court may amend or modify the terms of this Order for good cause shown.

6. **Retention of Jurisdiction.** This Court shall retain jurisdiction over any and all matters arising from or related to the interpretation of this Order.

Dated: _____
Houston, Texas

HONORABLE CHRISTOPHER M. LOPEZ
UNITED STATES BANKRUPTCY JUDGE